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U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA
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BY D. Ratay

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

IN THE MATTER OF ASSIGNMENT AND DESIGNATION OF MATTERS TO UNITED STATES MAGISTRATE JUDGES	Public Administrative Order No. 07 - AO - 0007 -P

The purpose of this administrative order is to clarify and effectuate the automatic assignment and designation of certain matters to the magistrate judges of this district without further order of the court, either (1) for determination, or (2) for the issuance of a report and a recommended disposition of the matter.

Local Rule 72.1 provides that the magistrate judges in this district are authorized and designated to perform the following duties:

> b. Duties Under 28 U.S.C. § 636(a). Magistrate judges are authorized and designated to exercise all of the powers and duties prescribed by 28 U.S.C. § 636(a), including, but not limited to, the following:
>
> 1. The power to administer oaths and affirmations;
> 2. The power to conduct trials and exercise other authority under 18 U.S.C. § 3401;
> 3. The power to enter sentences for "petty offenses," as defined in 18 U.S.C. § 19; and
> 4. In cases where the parties have consented to jurisdiction by a magistrate judge, the power to enter sentences for class A misdemeanors, including offenses classified as class A misdemeanors under 18 U.S.C. § 3559(a)(6).
>
> c. Determination of Non-Dispositive Pretrial Matters. Pursuant to 28 U.S.C. § 636(b)(1)(A) and Federal Rule of Civil Procedure 72(a), magistrate judges are authorized and designated to hear and determine all non-dispositive pretrial matters pending before the court to the extent permitted by law, including, but not limited to, the following motions:
>
> 1. For more definite statement;
> 2. To add parties, to intervene, or to file third-party complaints;
> 3. To amend pleadings or pretrial orders;

4. To consolidate cases or to order separate trials of claims or issues under Federal Rule of Civil Procedure 42;

5. To extend the time for compliance with the Local Rules, the Federal Rules of Civil or Criminal Procedure, and the orders of the court;

6. Relating to discovery in both civil and criminal cases, including bills of particulars under Federal Rule of Criminal Procedure 7(f);

7. To allow withdrawal or substitution of counsel;

8. To correct clerical errors under Federal Rule of Civil Procedure 60(a) and Federal Rule of Criminal Procedure 36;

9. To voluntarily dismiss a civil action;

10. To set aside an entry of default under Federal Rule of Civil Procedure 55(c);

11. To enter ex parte orders for release of tax information under 26 U.S.C. § 6103;

12. To enter orders for mental examinations under 18 U.S.C. §§ 4241 and 4242; and

13. To remand a case to the Commissioner of Social Security pursuant to sentence six of 42 U.S.C. § 405(g).

The court has determined that the magistrate judges of this district should be authorized and designated to perform duties in addition to those specifically identified in the Local Rules.

Accordingly, the following matters are automatically assigned and designated to the magistrate judges:

IN CRIMINAL CASES:

1. motions to appear, including motions to appear pro hac vice
2. motions for the appointment of counsel
3. motions for the appointment of experts
4. motions for advance approval of expert fees
5. motions for a new attorney
6. motions to substitute attorneys
7. motions to withdraw as attorney
8. motions for bills of particulars

IN CRIMINAL CASES (continued)

9. motions for the production of Brady materials
10. motions to compel
11. motions to consolidate cases
12. motions to continue (except for motions to continue sentencings)
13. motions to take depositions
14. motions to detain
15. motions for detention hearings
16. motions for disclosure
17. motions to dispose of property or exhibits (post-trial)
18. motions for discovery
19. motions to disqualify counsel
20. motions to exclude witnesses or exhibits because of nondisclosure
21. motions for extensions of time
22. motions to file motions, briefs, responses, or replies out of time.
23. motions to file objections to R&R's and PSIR's out of time
24. motions to file overlength briefs
25. motions for writs of habeas corpus ad prosequendum
26. motions for writs of habeas corpus ad testificandum
27. motions for handwriting exemplars
28. motions for the issuance of warrants in rem
29. motions for leave to file a document
30. motions by an inmate for permission to marry
31. motions for medical examinations
32. motions for medical treatment
33. motions to modify conditions of release
34. motions for preliminary hearings

IN CRIMINAL CASES (continued)

35. motions to schedule change of plea hearings
36. motions to produce
37. motions for protective orders
38. motions for psychiatric or psychological examinations
39. motions for psychiatric or psychological treatment
40. motions to quash
41. motions to release funds
42. motions for the return of property or exhibits (pretrial)
43. motions to revoke pretrial release
44. motions to seal cases
45. motions to seal documents
46. motions to file documents under seal
47. motions for a separate trial on counts
48. motions to sever defendants
49. motions to strike
50. motions for the issuance of subpoenas
51. motions for transcripts
52. motions to unseal cases
53. motions to unseal documents
54. motions for the issuance of warrants

IN CIVIL CASES:

1. motions to appear, including motions to appear pro hac vice
2. motions for the appointment of counsel
3. motions for a new attorney
4. motions to substitute attorneys

IN CIVIL CASES (continued)

5. motions to withdraw as attorney
6. motions to compel
7. motions to consolidate cases
8. motions to continue (except for motions to continue trials)
9. motions for a more a definite statement
10. motions for entry of default
11. motions for discovery
12. motions to dispose of property (post-trial)
13. motions to disqualify counsel
14. motions to exclude witnesses or exhibits because of nondisclosure
15. motions for extensions of time
16. motions for leave to file a document
17. motions to file motions, briefs, responses, replies, or pleadings out of time
18. motions to file objections to R&R's out of time
19. motions for the forfeiture of property
20. motions for writs of habeas corpus ad prosequendum
21. motions for writs of habeas corpus ad testificandum
22. motions for the issuance of warrants in rem
23. motions to intervene
24. motions for joinder
25. motions for judgment debtor examinations
26. motions to file overlength briefs
27. motions to produce
28. motions for protective orders
29. motions to proceed pro se
30. motions for service by publication

IN CIVIL CASES (continued)

31. motions to quash
32. motions for the return of property or exhibits (pretrial)
33. motions to remand under sentence 6
34. motions to modify scheduling order deadlines
35. motions to set aside default entry
36. motions to seal cases
37. motions to seal documents
38. motions to file documents under seal
39. motions for settlement conferences
40. motions to sever
41. motions to strike
42. motions to substitute parties
43. motions for the issuance of subpoenas
44. motions for transcripts
45. motions to unseal cases
46. motions to unseal documents

IN CRIMINAL CASES, (1) motions to dismiss, and (2) motions to suppress are automatically assigned and designated to the magistrate judges for the issuance of a report and recommendation.

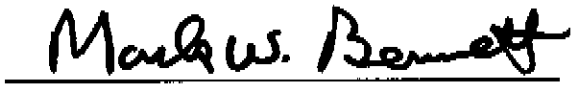
In a specific case, a district court judge also may assign and designate to a magistrate judge any other matter withing the jurisdiction of the magistrate judge by filing an order in

the case assigning and designating the matter to the magistrate judge. In a separately filed administrative order, a district court judge also may automatically assign and designate to a magistrate judge any category of matters within the jurisdiction of the magistrate judge from the district court judge's docket to the magistrate judge.

IT IS SO ORDERED.

DATED this 12th day of April, 2007.

LINDA READE, Chief Judge
United States District Court
Northern District of Iowa



MARK W. BENNETT, Judge
United States District Court
Northern District of Iowa